IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1720 OF 2006

(Parduman Singh D. Bhangu vs. The Regional Commissioner, Employees Provident Fund Organization and another)

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders

CORAM : D.D. SINHA AND
SMT. VASANTI A. NAIK, JJ.

DATED : NOVEMBER 26, 2007

Heard Ms. Biala, learned Counsel for the petitioner, Shri Sundaram, learned Counsel for the respondent no.1, and Shri Pillai, learned Counsel for the respondent no.2.

Ms. Biala, learned Counsel for the petitioner, states that petitioner was an ex-serviceman and after his retirement from Army, he joined service of respondent no.2 and was retired from service in the year 2002 while he was on the post of Security Supervisor. It is submitted that in the service record, date of birth of the petitioner was shown as 2.4.1944 whereas in Form V, which was required to be

submitted by the respondent no.2 under the provisions of the Employees Provident Fund Act to respondent no.1, the date of birth of the petitioner was shown as 2.6.1946.

Shri Sundaram, learned Counsel for the respondent no.1, states that pension as well as retiral benefits of the petitioner were calculated after his retirement on the basis of his date of birth i.e. 2.6.1946 and the said benefits were released on 25.6.2002. It is submitted that if petitioner makes a representation in respect of his date of birth to respondent no.1 within a period of four weeks from today, the same shall be considered on its own merits according to law and procedure applicable in this regard at the earliest.

Ms. Biala, learned Counsel for the petitioner, in the circumstances, seeks permission to withdraw the petition with liberty to make a representation to the respondent no.1 within a period of four weeks.

In view of above referred statement made by the learned Counsel for the respondent no.1, no further direction to the respondent no.1 is necessary.

In the circumstances, the petition is disposed of as withdrawn with liberty as prayed for.

JUDGE JUDGE

khj